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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
09/837,342	04/19/2001	Kazumitsu Watanabe	206154US-2	7693		
22850 7.	590 09/08/2006		EXAM	EXAMINER		
C. IRVIN MCCLELLAND OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET			DANIELS, A	DANIELS, ANTHONY J		
			ART UNIT	PAPER NUMBER		
ALEXANDRIA, VA 22314			2622	2622		
		DATE MAILED: 09/08/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	Applicant(s)		
09/837,342	WATANABE, KAZUMITSU			
Examiner	Art Unit			
Anthony J. Daniels	2622			

	Anthony J. Daniels	2622				
The MAILING DATE of this communication appe	ars on the cover sheet with the	correspondence add	ress			
THE REPLY FILED <u>28 August 2006</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.						
1.  The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods:	ving replies: (1) an amendment, a tice of Appeal (with appeal fee) in e with 37 CFR 1.114. The reply	affidavit, or other evider n compliance with 37 C	nce, which FR 41.31; or (3)			
a) The period for reply expiresmonths from the mailing b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire to Examiner Note: If box 1 is checked, check either box (a) or TWO MONTHS OF THE FINAL REJECTION. See MPEP 76	dvisory Action, or (2) the date set for ater than SIX MONTHS from the mai b). ONLY CHECK BOX (b) WHEN T	ling date of the final rejecti	on.			
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of extunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	ension and the corresponding amou hortened statutory period for reply of than three months after the mailing	nt of the fee. The appropriginally set in the final Offi	ate extension fee ce action; or (2) as			
<ol> <li>The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exter a Notice of Appeal has been filed, any reply must be filed AMENDMENTS</li> </ol>	nsion thereof (37 CFR 41.37(e)),	to avoid dismissal of th	ns of the date of e appeal. Since			
<ol> <li>The proposed amendment(s) filed after a final rejection, I</li> <li>(a) ☐ They raise new issues that would require further co</li> <li>(b) ☐ They raise the issue of new matter (see NOTE belo</li> <li>(c) ☐ They are not deemed to place the application in bet</li> </ol>	nsideration and/or search (see N w);	OTE below);				
appeal; and/or  (d) They present additional claims without canceling a NOTE: See Continuation Sheet. (See 37 CFR 1.1	corresponding number of finally r					
4. The amendments are not in compliance with 37 CFR 1.12	* **	Compliant Amendment	PTOL-324).			
5. Applicant's reply has overcome the following rejection(s)		•				
<ol> <li>Newly proposed or amended claim(s) would be al non-allowable claim(s).</li> </ol>		•	-			
7.  For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is provided that the status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1-36. Claim(s) withdrawn from consideration:		will be entered and an e	explanation of			
AFFIDAVIT OR OTHER EVIDENCE						
<ol> <li>The affidavit or other evidence filed after a final action, bu because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e).</li> </ol>	sufficient reasons why the affid	avit or other evidence is	s necessary and			
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessary	vercome <u>all</u> rejections under app	eal and/or appellant fai	ls to provide a			
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER						
11. The request for reconsideration has been considered bu			nce because:			
<ul><li>12.  Note the attached Information Disclosure Statement(s). (</li><li>13.  Other:</li></ul>	PTO/SB/08) Paper No(s)					
		Anthony Daniels Camera Division 26	322			

Continuation of 3. NOTE: The amendments to the independent claims require further search and consideration. However, the claims appear to have overcome the Horie et al. reference.

SUPERVISORY PATENT EXAMINER